

5664948/2022/TW-LTR-SOW01

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

TW Dept.,- LTR - **Sri Pasala Sivarama Krishna S/o Veerraju**
R/o.Bornagudem (V), Rajavommangi (M), E.G.District - Revision Petition fled
under the provisions of .P.S.A.L.T.R.,1959 as amended by 1/70 - Land Acs.2.22,
2.20 Total 4.42 of land in Sy.Nos.4-2 E6, 4-2 F7 of Bornagudem (V),
Rajavommangi (M), East Godavari District - Dismissed - Orders - issued.

SOCIAL WELFARE (TW.LTR.2) DEPARTMENT

G.O.Ms.No.11

Dated: 25.02.2022

Read the following:-

1. LTRP.No.183/2004, orders issued by the Special Deputy Collector, Rampachodavaram, East Godavari District, dated 23.12.2004 on the petition filed by Special Deputy Tahasildar, Devipatnam (M), East Godavari District .
2. C.M.A.No.6/2005 orders issued by the P.O.ITDA/ Addl. Agent to Govt., Rampachodavaram, East Godavari District, dated 23.07.2005, on the appeal filed by Sri Pasala Sivarama Krishna, S/o.Veerraju,R/o.Indukuru village, Devipatnam Mandal, East Godavari District.
3. Revision Petition filed by Sri Pasala Sivarama Krishna, S/o. Veerraju, R/o. Indukuru village, Devipatnam Mandal, East Godavari District, dt.05.09.2005.
4. Govt.Memo.No. 1273/LTR-2/2006, dated. 03.03.2006.
5. From the P.O., ITDA, Rampachodavaram, East Godavari District Lr. R.C.No.T8/Memo Lr.No.1273/LTR-2/2006 in CMA NO.6/2005, dated: 27.06.2008.
6. Govt.Lr.No. 15026/47/LTR-2/2018, dated. 30.01.2019 and 09.07.2021.

ORDER:

1. In the reference 1st read above, the Special Deputy Tahsildar (TW), Rajavommangi has filed a complaint before the Special Deputy Collector, Rampachodavaram, East Godavari District, under Section 3 (1)(a) of the APSALTR 1 of 1959 as amended by Regulation 1 of 1970 for restoration of the Petition Scheduled land in favour of Government after ejecting the respondents in East Godavari District.

2. Based on the said petition, the Special Deputy Collector, Rampachodavaram, East Godavari District has issued dismissal orders vide LTRP.No.183/2004, dated: 23.12.2004 on the complaint filed by the Special Deputy Tahasildar, Rajavommangi (M), East Godavari District under section 3 (1)(a) of the Andhra Pradesh State Area Land Transfer Regulation Act 1/1959, as amended by the Regulation 1 of 1970 for restoration of the Petition Scheduled land Acs.2.22, 2.20 Total 4.42 of land measuring in Sy.Nos.4-2 E6, 4-2 F7 situated at Bornagudem (V), Rajavommangi (M), E.G.District from the non-tribal Respondent i.e Sri Pasala Sivarama Krishna S/o.Veerraju.

(P.T.O.)

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3. Aggrieved by the above orders, Sri. Pasala Sivarama Krishna, S/o.Veerraju, Bornagudem (V), Rajavommangi (M), E.G.District have filed an appeal petition before the Project Ofcer, ITDA / Additional Agent to Government, Rampachodavaram, East Godavari District under Rule 8(2) of AP Scheduled Areas Land Transfer Rules 1/1969.

4. In the reference 2nd read above, the Project Ofcer, ITDA / Additional Agent to Government, Rampachodavaram, East Godavari District being the lower appellate authority in C.M.A.No. 6/2005, dated. 23.07.2005 has disallowed the appeal by upholding the orders of the Special Deputy Collector, Rampachodavaram, East Godavari District issued in LTRP.No.183/2004, dated:23.12.2004 and conformed the right of the Government over the land measuring in Acs.2.22, 2.20 Total 4.42 of land measuring in Sy.Nos.4-2 E6, 4-2 F7 situated at Bornagudem (V), Rajavommangi (M), E.G.District.

5. In the reference 3rd read above, Sri Pasala Sivarama Krishna S/o.Veerraju R/o.Bornagudem (V), Rajavommangi (M), E.G.District has been fled a Revision Petition for the land located in Bornagudem (V), Rajavommangi (M), E.G.District to the land adm. Acs.2.22, 2.20 Total 4.42 of land in Sy.Nos.4-2 E6, 4-2 F7 before the Government under the provisions of A.P.S.A.L.T.R., 1959 against the orders passed by the Project Ofcer, ITDA/Additional Agent to Government, Rampachodavaram, East Godavari District in in CMA No.6/2005,, dt.23.07.05 in the 2nd read above.

6. The Revision Petition filed by Sri Pasala Sivarama Krishna S/o.Veerraju R/o.Bornagudem (V), Rajavommangi (M), E.G.District, Government while admitting the same have called for parawise remarks along with connected case records from the P.O., ITDA, Rampachodavaram, East Godavari District in the reference 4th read above.

7. The Addl. Agent to Govt. (P.O., I.T.D.A.), Rampachodavaram, East Godavari District has furnished the parawise remarks along with connected case records on 27.06.2008 in the reference 5th read above.

8. In the reference 6th read above, both the parties and their councils was called for the hearings. Accordingly, hearings were conducted on 09.02.2019 and 24.07.2021. The Special Deputy Collector, Rampachodavaram and the Council for the petitioner has been attended the hearing and upon perusing the records/ evidences/ grounds fled by the Revision Petitioners, the Appellant Authority have come to the conclusion and opined/ observed that:

- During the course of hearing of the case that the revision petitioner advanced arguments and on verification of the documents and the grounds of revision and Para wise remarks as well as the other documents and material available on the record it is noticed that lower primary authority and lower appellant authority observed that the revision petitioner failed to produce any document in support of her claim of possession of the land as per the regulations.

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- It is observed that as seen from the record that the revision petitioners failed to produce any document in support of the claim of the revision petitioner and failed to discharge the burden as per regulations.
- That taking consideration of the above and the material available on the record that it can be concluded that the lower primary authority and lower appellant authority passed the order as per law which does not deserve any interference and accordingly the same is hereby upheld and the revision petition is hereby dismissed.

9. After careful examination of the Revision Petition, Government in exercise of the powers u/s 3(1) (a) of APSALTR 1/59 as amended by 1/70 do hereby order for ejection of respondents from Petition Scheduled Land and for restoration of the same to the Government for on-ward assignment to the eligible tribes.

10. The Collector & District Magistrate, East Godavari District, Kakinada is requested to take necessary action in the matter accordingly and acknowledge the receipt of the case records, which are returned herewith.

11. This order shall be published in apegazette.cgg.gov.in.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KANTILAL DANDE I A S
SECRETARY TO GOVERNMENT

To

The Collector & District Magistrate, East Godavari District, Kakinada (w.e)
The Additional Agent to Govt. cum Project Ofcer, ITDA,
Rampachodavaram, East Godavari District.
The Special Deputy Collector, Rampachodavaram, East Godavari District.
The Tahsildar, Rajavommangi (M), East Godavari District.
Sri Kola Satyaprasad, Sri G. Prabhudas Kumar &
Sri S. Ajay Kumar, Advocates, Rampachodavaram,
East Godavari District - 533288.
Sri Pasala Sivarama Krishna, S/o.Veerraju R/o.Bornagudem (V),
Rajavommangi (M), E.G.District

Copy to:

The P.S. to Hon'ble Dy. Chief Minister (TW)
The P.S. to Secretary (TW)
SF/SC.

//FORWARDED:: BY ORDER//


SECTION OFFICER